

Title 6
ANIMALS

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6.04 Dogs
Chapter 6.04
DOGS

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6.04.010 Purpose.

The purpose of this chapter is to promote the public health, safety and welfare of the community, including the preservation and protection of the property of the town and its inhabitants, and of the peace and good order therein by regulating and controlling activities of dogs within the town and providing enforcement thereof.
(LL No. 3, 1998 § 1)

6.04.020 Prohibited acts.

Any *owner* of a dog or any other *person* who harbors any dog in the town shall be in violation of this chapter if such dog:

- A. Is not restrained by an adequate collar and leash when not on the property of the *owner* or any other *person* harboring or having custody or control of the dog; except when a field for the purpose of small game hunting or dog training on wild game during the time established by the department of environmental conservation; provided, that such dog is under the control and obedient to the commands of the *person* using such dog for hunting purposes or the trainer thereof;
- B. Engages in habitual loud howling or barking or conducts itself in such a manner as to habitually annoy any *person* other than the *person* owning or harboring such dog;
- C. Causes damage or destruction to property, or defecates, urinates, or otherwise commits a nuisance other than on the *premises* of the *person* owning or harboring such dog;
- D. Chases or otherwise harasses any *person* in such manner as reasonably to cause intimidation or to put such *person* in reasonable apprehension of bodily harm or injury when not on the property of the *person* owning or harboring such dog;
- E. Chases, leaps on, or otherwise harasses any:
 - 1. Bicycle, motorcycle, automobile or any other vehicle or device used by persons for travel or as a conveyance, or any rider or occupants thereof, or

2. Any cat, dog or domestic animal;

F. Is unlicensed when four months of age or older;

G. If applicable, is not wearing a current and valid New York State dog *license* identification tag while at large, whether or not restrained by an adequate collar and leash; or

H. Is not redeemed within five days after being notified either *personally* or by mail that said dog has been seized and impounded pursuant to Section 6.04.050 of this chapter.

(LL No. 3, 2004; LL No. 3, 1998 § 2)

6.04.030 Fee schedule.

In addition to any fees required by the state of New York, local fees for dog *licenses* shall be charged in accordance with a fee schedule established in accordance with Chapter 2.08 of the *town code*.

(LL No. 3, 1998 § 3)

6.04.040 Collection of fees.

Fees are due and payable anytime an *application* for *license* is submitted. The fees shall be collected through the town clerk, deposited and disbursed in accordance with town law and accepted local procedures. The funds collected shall be turned over to the town supervisor along with appropriate reports no later than the seventh work day of the month following the month in which the fees are collected.

(LL No. 3, 1998 § 4)

6.04.050 Enforcement.

Any *person* or *persons* who are or may be lawfully authorized by the town, shall, and all peace officers may, administer and enforce the provisions of this chapter, and for such purpose shall have the authority to issue appearance tickets and to seize dogs either on or off the *premises* of the *owner*, if witnessed to be in violation of this chapter.

(LL No. 3, 1998 § 5)

6.04.060 Filing of complaints.

Any person who observes a dog in violation of any acts prohibited by this chapter, may file a signed complaint, under *oath*, with a justice of the town, or with the authorized dog control officer or any peace officer, specifying the objectionable conduct of the dog, the date thereof, the damage caused, or the acts constituting violation of this chapter, and including the place or places where such conduct occurred and the name and residence, if known, of the *owner* or other person harboring such dog.

(LL No. 3, 1998 § 6)

6.04.070 Minor *owner*--Responsibility of head of household.

If any dog in violation of this chapter is owned by a person under eighteen (18) years of age, the head of household in which said person resides shall be deemed to be the *owner* or person harboring such dog and shall be the person responsible for the acts of said dog for the purposes of this chapter.

(LL No. 3, 1998 § 7)

6.04.080 Presumption.

The fact that a dog is in violation of any of the provisions of this chapter shall be presumptive evidence that the dog has been permitted to be in violation with the knowledge of the *owner* or person harboring the dog.

(LL No. 3, 1998 § 8)

6.04.090 Interference with authority.

No person shall hinder, resist, or oppose the dog control officer, peace officer, or other person authorized to administer or

enforce the provisions of this chapter in the performance of the officers' duties under this chapter.
(LL No. 3, 1998 § 9)